

United States District Court  
For the Northern District of California

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNIVERSAL TRADING & INVESTMENT  
COMPANY, a Massachusetts corporation

Plaintiff,

v.

PETRO MIKOLAYEVICH KIRITCHENKO,  
an individual, et al.,

Defendants.

No. C-99-3073 MMC

**ORDER DENYING PLAINTIFF'S  
REQUEST FOR ADMINISTRATIVE  
RELIEF FOR LEAVE TO FILE MOTION  
FOR RECONSIDERATION OF ORDERS**

Before the Court is plaintiff Universal Trading & Investment Company's ("UTI") "Notice of Supplemental Authority of November 3, 2010 and Request for Administrative Relief for Leave to File Motion for Reconsideration of the Orders Docket Nos. 1891, 1892" ("Request"), filed November 5, 2010, by which UTI seeks, pursuant to Civil Local Rules 7-11 and 7-9 and the Court's "inherent power to consider a new appellate authority" (see Request at 3:7-9), leave to file a motion for reconsideration of the Court's orders (1) denying UTI's motion for reconsideration of the Court's Order Granting Defendants' Motion for Summary Judgment Re: Standing, issued September 7, 2007, and (2) denying UTI's motion for reconsideration of the Court's Order Granting Defendants' Motion for Order Permitting Recovery on Attachment Bonds, issued October 13, 2010. Defendants Peter Kiritchenko, Izabella Kiritchenko, Ludmilla Kiritchenko, Brancross U.S. Holdings, Inc., BRC


1 Property Holdings, LLC, Xanadu Property Holdings, LLC, ABS Trading, Inc., and Michael  
2 Menko have filed opposition, in which said defendants, in addition, request sanctions be  
3 imposed against UTI under Rule 7-9(c).

4 In its prior orders denying UTI's motions for reconsideration, the Court set forth in  
5 detail the requirements that any such request must meet. UTI's instant Request once  
6 again fails to meet those requirements or otherwise to show cause warranting  
7 reconsideration. Although, as defendants point out, the recent decision on which UTI  
8 relies, see U.S. v. Lazarenko, No. 08-10185, 2010 WL 4323404 (9th Cir. Nov. 3, 2010), is  
9 cited by UTI as support for largely the same arguments this Court previously has found  
10 unpersuasive, the Court finds sanctions are not warranted.

11 Accordingly, UTI's Motion is hereby DENIED, and defendants' request for sanctions  
12 is hereby DENIED.

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14 **IT IS SO ORDERED.**

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16 Dated: November 17, 2010

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18 MAXINE M. CHESNEY  
19 United States District Judge  
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